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S.B. CIVIL MISC. APPEAL NO.1741/2006.
Smt. Shruti Thapar & Anr. Vs. Madan Lal

Date of Order : 3rd April 2007.

HON'BLE MR. JUSTICE DINESH MAHESHWARI

Mr. R.S. Mankad, for the appellants.

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This appeal by the driver and owner of the vehicle involved in accident was admitted on 08.12.2006. However, the prayer for interim relief was refused finding that the Tribunal has awarded compensation in the sum of Rs.1,92,312/- to the injured claimant, about 26 years of age who had sustained injuries to the extent of left clavical bone fracture, right femur bone fracture and left femur bone fracture. It appears that the notices of this appeal have never gone to the respondent for having not been filed by the appellants.

The appellants, instead, have moved an application on 14.02.2007 with the submissions that in the execution proceedings levied by the claimant, the parties have entered into a compromise and the same was presented before the Tribunal and that has been duly approved. A copy of the order sheet dated 19.01.2007 drawn by the Tribunal concerned has been placed on record.

Perusal of the order sheet dated 19.01.2007 makes out that the parties have settled the matter in the sum of Rs.1,50,000/- and the appellants have made entire payment of the amount so settled and the execution proceedings have been terminated in full satisfaction.

Learned counsel for the appellants seeks permission to withdraw this appeal.

Having regard to the facts and circumstances of the case and the order sheet dated 19.01.2007, it appears that the matter has been reasonably settled with payment of reasonable amount of compensation to the claimant concerned; hence, the appellants are permitted to withdraw this appeal.

The appeal is dismissed as withdrawn.

(DINESH MAHESHWARI), J.

Mohan/